

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

* * * * *

Gerald Ubel,

Plaintiff,

vs.

ORDER ADOPTING REPORT
AND RECOMMENDATION

Prudential Financial Insurance
Company of America,

Defendant.

Civ. No. 08-4407 (JMR/RLE)

* * * * *

Based upon the Report and Recommendation of the United States Magistrate Judge Raymond L. Erickson, and after an independent review of the files, records and proceedings in the above-entitled matter, **IT IS ORDERED:**

That this action is dismissed for failure to comply with this Court's Order of November 10, 2008, for failure to effect proper service on the Defendant, and for lack of prosecution.

Dated: December 31, 2008

s/James M. Rosenbaum
Judge James M. Rosenbaum
United States District Court